

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

Tim Stanfield,

Plaintiff,

vs.

Case No. 1:24-cv-00004

Liberty Oilfield Services LLC; Grayson Mill  
Operating, LLC; Grayson Mill Williston  
LLC; VAC-U-JET SEPTIC AND SUMP  
SERVICE INC,

Defendants.

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**ORDER GRANTING REQUEST FOR IN CAMERA REVIEW  
TO ESTABLISH COURT’S LACK OF JURISDICTION**

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[¶1] THIS MATTER comes before the Court on a Request for *In Camera* Review to Establish this Court’s Lack of Jurisdiction filed by Defendants Grayson Mill Operating, LLC, and Grayson Mill Williston, LLC (collectively “Grayson Mill”), on November 4, 2024. Doc. No. 56. Plaintiff filed a Response on November 4, 2024. Doc. No. 58.

[¶2] This case is a jurisdictional conundrum. At the time the Complaint was filed,<sup>1</sup> Grayson Mill’s corporate structures made it virtually impossible for them to sue or be sued in federal court. Doc. No. 49, ¶ 1 (“[Grayson Mill’s] structures leave the Court to believe that perhaps they have been set up so they cannot sue or be sued in any diversity action in any federal court in the United States.”). Indeed, it now appears impossible for them to determine the citizenship of each one of its members at the time the Complaint was filed as this Court has required. Doc. Nos. 32 (Order to

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<sup>1</sup> According to Grayson Mill, on September 27, 2024, they were sold to Devon Energy Production Company, L.P., whose members are citizens of Oklahoma and Delaware. Doc. No. 56, p. 9.

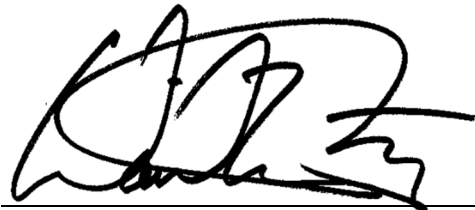
Show Cause); 56, p. (current motion indicating, “Grayson Mill is not a party to any of the confidentiality agreements and has no access to the investor identities. Accordingly, Grayson Mill is unable to disclose its full corporate structure absent significant subpoena practice, including challenges from each investor and their sub-members based on the confidentiality agreements.”). Grayson Mill has indicated it has identified one investor of one of its members, EnCap, as a citizen of Idaho, calling this court’s diversity jurisdiction directly into question as Plaintiff is a citizen of Idaho.

[¶3] The Court recognizes the burden of proving jurisdiction is on the Plaintiff. See Romak USA, Inc. v. Rich, 384 F.3d 979, 984 (8th Cir. 2004). However, there appears to be sufficient information to call the Court’s jurisdiction into question because Grayson Mill has identified an Idaho corporation that may cause its citizenship to have been Idaho at the time the Complaint was filed. Wullschleger v. Royal Canin U.S.A., Inc., 75 F.4th 918, 922 (8th Cir. 2023) (quoting Mollan v. Torrance, 22 U.S. 9 Wheat. 537, 539 (1824) (“[T]he jurisdiction of the [c]ourt depends upon the state of things at the time the action [was] brought.”)). In order to satisfy this Court’s obligation and to respect the confidentiality agreements in place, the Court agrees reviewing the information *in camera* to protect the confidentiality of the information is appropriate.

[¶4] Accordingly, the Court **GRANTS** Grayson Mills’ request for *in camera* review. To facilitate this review, Counsel is directed to email the relevant documents to [ndd\\_J-Traynor@ndd.uscourts.gov](mailto:ndd_J-Traynor@ndd.uscourts.gov) no later than March 14, 2025.

[¶5] **IT IS SO ORDERED.**

DATED March 6, 2025.

A handwritten signature in black ink, appearing to read 'D. Traynor', written over a horizontal line.

Daniel M. Traynor, District Judge  
United States District Court